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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,557	12/04/2003	Leila Toumi	236689US0	5460
22850	7590	05/31/2007		
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER SILVERMAN, ERIC E	
			ART UNIT 1615	PAPER NUMBER
			NOTIFICATION DATE 05/31/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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10/726557

EXAMINER

ART UNIT

PAPER


20070516

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Commissioner for Patents

The timely submission under 37 CFR 1.129(a) filed on 4/3/2007 is not fully responsive to the prior Office action because Applicants' have not fully complied with the election of species requirement by making a clear election commensurate with the requirement. The election of species requirement required the election of a single species of disclosed polymer. The requirement specified that the election must be made to one discrete polymer, and that the election of any generic type of polymer is not acceptable. Applicants' reply indicated the intention to elect a "polyorganosiloxane comprising aryl groups linked directly to the atoms of the siloxane skeleton, particularly phenylpropylsilsesquioxane". A "polyorganosiloxane comprising aryl groups linked directly to the atoms of the siloxane skeleton" is not an election commensurate with the requirement, since it is generic to many different polymers. It is not understood what is meant by "particularly phenylpropylsilsesquioxane"; in view of the entirety of the response, it does not appear that Applicants' intended their election to be limited to that species. However, to comply with the requirement, Applicants' must clearly state one discrete polymer species which is elected, with the reminder that a generic polymer type is not acceptable. Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a). If a notice of appeal and the fee set forth in 37 CFR 1.17(e) were filed prior to or with the payment of the fee set forth in 37 CFR 1.17(r), the payment of the fee set forth in 37 CFR 1.17(r) by applicant is construed as a request to dismiss the appeal and to continue prosecution under 37 CFR 1.129(a). The appeal stands dismissed.


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